

1 WILLIAMS & CONNOLLY LLP
David E. Kendall (*pro hac vice*)
2 Emmet T. Flood (*pro hac vice*)
Francis Q. Hoang (*pro hac vice*)
3 725 Twelfth Street, N.W.
Washington, DC 20005
4 Telephone: (202) 434-5000
Facsimile: (202) 434-5029

E-FILED 6/21/05

5 LATHAM & WATKINS LLP
6 Peter A. Wald (Bar No. 85705)
Dana N. Linker (Bar No. 184498)
7 505 Montgomery Street, Suite 2000
San Francisco, California 94111-2562
8 Telephone: (415) 391-0600
Facsimile: (415) 395-8095

9
10 Attorneys for Non-Party
ERNST & YOUNG LLP

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 THOMAS FALLON, an individual,
ROBERT PUETTE, an individual, CARL
16 REDFIELD, an individual, RICK TIMMINS,
an individual, on behalf of each, individually,
17 and on behalf of the general public,

18 Plaintiffs,

19 v.

20 LOCKE, LIDDELL & SAPP, LLP, a Texas
limited professional partnership; And DOES 1
21 through 100,

22 Defendants.
23
24
25
26
27
28

CASE NO. 04-3210 RMW RS

STIPULATION, AND [PROPOSED] ORDER,
CONTINUING HEARINGS ON NON-PARTY
ERNST & YOUNG'S MOTION FOR
PROTECTIVE ORDER AND TO QUASH OR
MODIFY SUBPOENA AND PLAINTIFFS'
MOTION TO COMPEL TO JULY 27, 2005 AT
9:30 A.M.

Date: JULY 27, 2005
Time: 9:30 a.m.
Place: COURTROOM 4
Judge: Hon. Richard Seeborg

1 In light of the parties' scheduling concerns and defendant's pending motion to
2 stay the case, scheduled for hearing before Judge Whyte on July 1, 2005, the parties in this
3 matter and non-party Ernst & Young agree to continue the following hearings to July 27, 2005 at
4 9:30 a.m.:

- 5 • Non-party Ernst & Young's motion for protective order and to quash or
6 modify Plaintiffs' third-party subpoena, currently set before Magistrate
7 Judge Seeborg on June 22, 2005 at 9:30 a.m.; and
- 8 • Plaintiffs' motion to compel, currently set before Magistrate Judge
9 Seeborg on July 13, 2005 at 9:30 a.m.


10
11 Respectfully submitted,

12
13 Dated: June 20, 2005,

LATHAM & WATKINS LLP
Peter A. Wald
Dana N. Linker

14
15
16 By /s/
Dana N. Linker
Attorneys for Non-Party
Ernst & Young LLP

17
18
19
20
21 MURPHY, PEARSON, BRADLEY &
FEENEY LLP
James A. Murphy
Harlan B. Watkins

22
23
24 By 
Harlan B. Watkins
Attorneys for Defendant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ANTHONY B. GORDON A Professional Law
Corporation
Anthony B. Gordon

By 
Anthony B. Gordon
Attorneys for Plaintiffs

1 IT IS HEREBY ORDERED that the hearing on Non-Party Ernst & Young's motion for
2 protective order and to quash or modify Plaintiffs' third-party subpoena, currently set on June 22,
3 2005, shall be ~~taken off calendar and~~ continued to July 27, 2005 at 9:30 a.m.

4
5 IT IS FURTHER ORDERED that the hearing on Plaintiffs' motion to compel, currently set on
6 July 13, 2005, shall be ~~taken off calendar and~~ continued to July 27, 2005 at 9:30 a.m.

7
8 Dated: June 21, 2005

9
10 /s/ Richard Seeborg

11 Hon. Richard Seeborg
12 United States Magistrate Judge

13
14
15 Respectfully submitted,

16 LATHAM & WATKINS LLP
17 Peter A. Wald
18 Dana N. Linker

19 By /s/
20 Dana N. Linker
21 Attorneys for Non-Party
22 Ernst & Young LLP